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15 UNITED STATES DISTRICT COURT  
16  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN JOSE DIVISION

19 UNITED STATES OF AMERICA,	)	CR 18-00172 BLF
	)	
20 Plaintiff,	)	JOINT PRELIMINARY STATEMENT
	)	
21 v.	)	Trial: March 19, 2021
	)	Court: Honorable Beth Labson Freeman
22 MICHAEL KAIL,	)	
	)	
23 Defendant.	)	
	)	
24	)	

1 Counsel for the United States of America (the “government”), through Assistant U.S. Attorneys  
 2 Colin Sampson and Daniel Kaleba, and counsel for Defendant, Michael Kail (“Kail,” or “Defendant”),  
 3 respectfully submit the following Joint Preliminary Statement to be read to the jury before the beginning  
 4 of trial of the above-captioned matter:

5  
 6 Defendant Michael Kail is charged with the following crimes: wire fraud, mail  
 7 fraud and money laundering. The government alleges that Mr. Kail, from at least  
 8 February 2012 to July 2014, engaged in a scheme to defraud his employer, Netflix, Inc.,  
 9 including by directing business to companies that did business with Netflix in exchange  
 10 for taking bribes and kickbacks from those companies. The government further alleges  
 11 that, from at least April 2013 to October 2014, Mr. Kail also engaged in financial  
 12 transactions of over \$10,000 with the proceeds of the alleged fraud.

13 These allegations are not evidence, and they do not prove anything. Mr. Kail has  
 14 pleaded not guilty to the charges. He is presumed innocent, and the government bears the  
 15 burden of proving the charges beyond a reasonable doubt.

16  
 17 Respectfully submitted,

18 DAVID L. ANDERSON  
 19 United States Attorney

20 Dated: February 18, 2021.

/s/ Colin Sampson  
 COLIN SAMPSON  
 DANIEL KALEBA  
 Assistant United States Attorneys

21  
 22  
 23 Dated: February 18, 2021.

/s/ Julia Jayne  
 JULIA JAYNE  
 Attorney for Defendant Michael Kail